

Decision No. 63804**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation into )  
 the rates, rules, regulations, charges, )  
 allowances and practices of all common )  
 carriers, highway carriers, and city )  
 carriers, relating to the transportation )  
 of property in the City and County of )  
 San Francisco, and the Counties of )  
 Alameda, Contra Costa, Lake, Marin, )  
 Mendocino, Monterey, Napa, San )  
 Benito, San Mateo, Santa Clara, )  
 Santa Cruz, Solano and Sonoma. )

Case No. 5441  
 Petition for Modification  
 No. 58  
 (Filed April 9, 1962)

OPINION AND ORDER

Ames Harris Neville Company requests the establishment in City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A of an exception rating of fourth class applicable to paper bags, NOIBN, in straight shipments, less carload, of not less than 4,000 pounds. The applicable rating is third class. The minimum rate tariff referred to above contains minimum rates for the transportation of property within the East Bay Drayage Area, which includes generally the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont.

In Decision No. 62730, dated November 7, 1961, pursuant to Petition No. 220 of Ames Harris Neville Company and Petition No. 221 of International Paper Company in Case No. 5432, the Commission established an exception rating of fourth class on paper bags, subject to the same conditions as sought herein, in Minimum Rate Tariff No. 2. Said minimum rate tariff prescribes the minimum rates for highway carriers transporting general commodities, including paper bags, statewide. We take official notice of said decision.

The petition states that Ames Harris Neville Company manufactures paper bags at its plant in Berkeley; that it ships paper bags, usually in palletized units weighing between 1,000 and 1,500 pounds, from its plant to points in the United States west of the Mississippi River; and that substantial quantities of multiwall paper bags are shipped to points within the East Bay Drayage Area and are therefore subject to the minimum rates in City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A. Said minimum rate tariff prescribes a rating of Class 3 on multiwall paper bags. Less than carload straight shipments of multiwall paper bags, minimum weight 4,000 pounds, from Berkeley to points beyond the East Bay Drayage Area are rated Class 4, pursuant to Item 304 of Minimum Rate Tariff No. 2. The transportation characteristics of the paper bags are the same.

No one has opposed the granting of this petition. After consideration we find that the proposed fourth class rating, subject to the same conditions and limitations imposed by Decision No. 62780, is the reasonable and non-discriminatory minimum rating for paper bags transported within the East Bay Drayage Area. A public hearing is not necessary. Therefore,

IT IS ORDERED that:

1. City Carriers' Tariff No. 2-A - Highway Carriers' Tariff No. 1-A (Appendix "A" of Decision No. 41362, as amended) is further amended by incorporating therein Third Revised Page 3, Seventh Revised Page 6 and Sixth Revised Page 21, to become effective July 28, 1962, which pages are attached hereto and by this reference made a part hereof.

2. Tariff publications authorized to be made by common carriers as a result of the order herein may be made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff pages incorporated in this order.

3. Common carriers, in establishing and maintaining the exception rating authorized hereinabove, are authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and of Section 460 of the Public Utilities Code, to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations are modified only to the extent necessary to comply with this order; and that schedules containing the exception rating published under the authority conferred in this paragraph shall make reference to the prior orders authorizing the long- and short-haul departures and to this decision.

4. In all other respects said Decision No. 41362 shall remain in full force and effect.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco California, this 12<sup>th</sup> day of June, 1932.

Robert A. Rice  
President  
John E. Mitchell  
S. J. Fox  
George T. Dwyer  
Frederic B. Hallock  
Commissioners

INDEX OF COMMODITIES AND EXCEPTIONS TO CLASSIFICATION

Article	Item Numbers	Article	Item Numbers
Acid, Boracic	(2)	Butter, Peanut	(1)
Acid, Tartaric	340	Butter Substitutes	(2)900
Alcohol	340		
Ale	(2)	Cable, Electric	350
Angles, iron or steel	860	Camphor	340
Animal Feed	(2)770	Candles	(2)
Animal or Poultry Dip	340	Candy	(2)270,760
Animal Food	(1)	Candy, Rock	340
Bags, Paper	259.5 440	Canned Goods, Pickles and Preserves as described in Item 280	(2)280,800
Baking Powder	(2)	Cans, Tin or Sheet Iron	290
Balsam Fir Tips	340	Caps, Post, iron or steel	860
Bark, medicinal	340	Carpeting	300
Bars, truss, iron or steel	860	Carpets	300
Bases, iron or steel	360	Carriers (used) empty returning	310,900
Bay Rum	340	Castings, iron or steel	890
Beams, iron or steel	860	Castor Oil	340
Beans	(2)510	Catsup	(1)
Beans-and-Pork	(1)	Cereal Preparations, malted	340
Beans, Honey (St. John's Bread)	340	Cereals	(2)
Beer	(2)	Chairs, Theater	355
Beer Tonic	(2)	Chalk	340
Beverage Preparations	(2)340	Channels, iron or steel	860
Beverages (non-alcoholic)	(2)	Charcoal	340
Bicarbonate of Sodium (Soda)	(2)	Cheese	330
Bird Food, Gravel or Seed	(2)	Chemicals	340
Biscuits, Dog	(2)	Chewing Gum	(2)
Bitters	340	Chocolate	(2)
Blacking, Shoe	(2)	Chocolate Candy or Confectionery	(2)270,760
Bleaching Compound	(2)	Chocolate Coating	(2)
Blue Vitriol	340	Cigarettes	340
Bluing, Laundry	(2)	Cigars	340
Boracic Acid	(2)	Clevises, iron or steel	860
Borax	(2)	Cocoa	(2)
Boxes, fibreboard, pulpboard, strawboard	420	Cócoanut	(2)
Braces, iron or steel	860	Cócoanut (canned)	(1)
Brackets, iron or steel	860		
Broths	(1)		
Butter	330		

(1) See Canned Goods, Pickles and Preserves, as described in Item No. 280.  
 (2) See Groceries and Grocers' Supplies, as described in Item No. 370.

\* Addition, Decision No. 63804

EFFECTIVE JULY 26, 1962

Issued by the Public Utilities Commission of the State of California,  
 San Francisco, California.  
 Correction No. 253

INDEX OF COMMODITIES AND EXCEPTIONS TO CLASSIFICATION (Continued)			
Articles	Item Numbers	Articles	Item Numbers
Molasses	(1)	Paraffine	(2)
Monoglycerides of Fat-forming Acids	370,900	Parcel City Delivery (Wholesale)	990-995
Mouth Washes	340	Parts, Furniture	830
Mustard	(1)(2)	Paste, alimentary	(2)
		Paste, Confectioners'	(2)
Napkins, paper	440	Paste, Fig	(2)
Noodles	(2)	Paste, Tooth	340
Nuts	(2)	Patterns, Foundry	890
Nut Meats	(2)	Peanut Butter	(1)
		Peas, dried	(2)
Oil, Castor	340	Pectin	(1)
Oil, Cod Liver	340	Perfumery	340
Oil, cooking	(2)400	Peroxide Hydrogen	340
Oil, corn	400	Petrolatum	340
Oil, Cottonseed	400	Petrolatum Preparations	340
Oil, edible	(2)	Petroleum	450
Oil, Fish	410	Petroleum Jelly	340
Oil, Fusel	340	Petroleum Products	450
Oil, Lard	400	Petrolina	340
Oil, Linseed	410	Pickles	(1)(2)
Oil, medicinal	340	Pies, not baked, frozen	455
Oil, Olive	(1)	Piling, iron or steel	860
Oil, Salad	(1)(2)400	Pipe, concrete	460
Oil, Soy Bean	400	Plates, floor, iron or steel	860
Oil, Vegetable	900	Polish, Shoe	(2)
Olive Oil	(1)	Popcorn	(2)
Olives	(1)	Porter	(2)
Onions	(2)	Potatoes	(2)
Oxide of Tin	340	Poultry Dip	340
		Powder, Baking	(2)
Paint Material	410	Powder, body, face, talcum, tooth	340
Paints	410	Preparations, Toilet	340
*Paper Bags	269.5	Preserves	(1)(2)
Paper Boxes	420	Printing Paper	440
Paper, Printing	440	Puddings	(1)
Paper, Toilet	440	Puree, Tomato	(1)
Paper Towels	440	Putty	410
Paper, Wrapping	440		

- (1) See Canned Goods, Pickles and Preserves, as described in Item No. 280.  
 (2) See Groceries and Grocers' Supplies, as described in Item No. 370.

\* Addition, Decision No.

**63804**

EFFECTIVE JULY 28, 1962

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 Correction No. 254

## SECTION NO. 1 - RULES AND REGULATIONS (Continued)

## EXCEPTIONS TO CURRENT CLASSIFICATION

Item No.	ARTICLE	CLASS
269.5	Bags, Paper, not otherwise indexed by name in the Current Classification, Less Carload: Any Quantity ..... Minimum Weight 4,000 pounds ..... Carload: Minimum Weight 30,000 pounds ..... (1) Rating applies only on straight shipments. Paper bags in mixed shipments with other articles are subject to other ratings set forth in this item.	3 8(1)4 5
270	Candy or Confectionery, N.O.I.B.N., or Chocolate Candy or Confectionery, including Milk Chocolate Candy or Confectionery, less carload .....	4
280	Canned Goods, Pickles, Preserves, in earthenware, glass or metal cans, boxed, or in pails or tubs, crated, or in bulk in barrels or kegs, except as otherwise provided, less carload, viz.:  Animal Food, Fruit, other than Olives, Beans-and-Pork, dried, evaporated Pectin, Broth, or fresh, Pickles, Butter, Peanut, Fruit or Vegetable Puddings, Catsup, Juices, Puree, Tomato, Cocoanut, not Hominy, Sandwich Spread, desiccated, Jam, Sauces, Condiments Corn, Jelly, or Relishes, Dressing, Salad, Macaroni prepared, N.O.S., Egg Yolk, in cans (prepared), Sausage, in boxes, Meats, cooked, Soups, Fish, cured or pre- Spaghetti Food, baby, canned or served, (prepared), preserved, other Milk (condensed Syrup, than frozen, con- or evaporated), Tomato Juice, sisting only of Mince Meat, Vegetables (not strained and Molasses or Syrup, dehydrated, chopped foods, in Mustard dried, evaporated hermetically (prepared), nor fresh), sealed containers. Oil, Olive or Vermicelli Salad, (prepared), Vinegar, Welsh Rarebit.  (1) Not subject to Item No. 260.	(1)4
290	Cans, Tin or Sheet Iron, viz.: Liquid capacity one gallon or less, less carload ..... Liquid capacity over one gallon but not exceeding five gallons, less carload .....	1½ D1
300	Carpets or Carpeting, viz.: Linoleum; Cork; Felt Base, asphalted, plain, painted or decorated; or Wood Fibre Base, impregnated and decorated; -- in packages, less carload .....	3
310	Carriers (used packages), second-hand, empty, returning via the same carrier that handled the outbound loaded movement, less carload .....	4

320	Cooling Boxes or Rooms and Refrigerators, viz.: Refrigerators, N.O.I.B.N., and Cooling Boxes, N.O.I.B.N., less carload -----	1
330	Dairy Products, viz.: Butter, ) packed in accordance with the packing require- Cheese, ) ments set forth in connection with the ratings Eggs, ) on such articles in the Current Classification, less carload -----  (2) Not subject to Item No. 260.	(2)3
<p>* Addition &amp; Reduction } Decision No. <b>63804</b></p>		
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